

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**ZAGARUYKA & ASSOCIATES,**

**Plaintiff,**

**v.**

**HEALTHSMART BENEFIT  
SOLUTIONS INC. d/b/a  
HEALTHSMART,**

**Defendant.**

**Case No. CIV-18-697-G**

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**NATIONAL UNION FIRE  
INSURANCE COMPANY OF  
PITTSBURGH, PA,**

**Counterclaimant,**

**v.**

**ASHLEY ZAGARUYKA,  
individually and d/b/a  
ZAGARUYKA & ASSOCIATES,**

**Counterclaim Defendant;**

**and**

**CAROL PROCTOR,**


**Counterclaim Defendant.**

**DEFAULT JUDGMENT**

Pursuant to the Clerk's Entries of Default, the Court's Order granting Counterclaimant's Motion for Default Judgment, and the Court's Order of August 10, 2020, the Court orders judgment as follows:

- Judgment for Counterclaimant National Union Fire Insurance Company of Pittsburgh, PA, against Counterclaim Defendant Carol Proctor and Counterclaim Defendant Ashley Zagaruyka, individually and d/b/a Zagaruyka & Associates, jointly and severally, for actual damages in the amount of \$123,786.00;
- An award of punitive damages for Counterclaimant National Union Fire Insurance Company of Pittsburgh, PA, against Counterclaim Defendant Carol Proctor, in the amount of \$123,786.00;
- An award of punitive damages for Counterclaimant National Union Fire Insurance Company of Pittsburgh, PA, against Counterclaim Defendant Ashley Zagaruyka, individually and d/b/a Zagaruyka & Associates, in the amount of \$62,000.00; and
- Judgment for Counterclaimant National Union Fire Insurance Company of Pittsburgh, PA, against Counterclaim Defendant Ashley Zagaruyka, individually and d/b/a Zagaruyka & Associates, in the amount of \$8088.30.

ENTERED this 28th day of June, 2021.

  
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CHARLES B. GOODWIN  
United States District Judge